



COUNTY OF SAN BENITO

LAND USE ELEMENT

INCLUDING REVISIONS FROM THE 1992 UPDATE

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Adopted by the Board of Supervisors on July 14, 1992

SAN BENITO COUNTY LAND USE ELEMENT

INCLUDING REVISIONS FROM THE 1992 UPDATE

SAN BENITO COUNTY BOARD OF SUPERVISORS

Richard Scagliotti, Chairman, District 1

Ruth Kesler, District 2

Rita Bowling, District 3

Curtis Graves, District 4

Mike Graves, District 5

Adopted by San Benito County Board of Supervisors on July 14, 1992 by
Resolution 92-88

SAN BENITO COUNTY PLANNING COMMISSION

Jack Kent, Chairman

Murril Conley

Bob Cruz

Pat Loe

Edward Fritz Roth

Approved by San Benito County Planning Commission on April 1, 1992 by
Resolution 92-18

SAN BENITO COUNTY PLANNING DEPARTMENT STAFF

Rob Mendiola, Director of Planning

Mary Paxton, Advanced Planning



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REPORT OF THE COMMISSIONER OF THE LAND OFFICE

FOR THE YEAR ENDING 1897

STATEMENT OF THE LAND OFFICE

FOR THE YEAR ENDING 1897

AND

OF THE LANDS

IN THE STATE

OF CALIFORNIA

FOR THE YEAR ENDING 1897

AND

STATEMENT OF THE LAND OFFICE

FOR THE YEAR

ENDING

1897

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STATEMENT OF THE LAND OFFICE

FOR THE YEAR

ENDING

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PREFACE

Counties and Cities in the State of California have been required by State law to prepare a Land Use Element as one of the seven mandated Elements of the General Plan. This requirement has been in force since 1955. By requiring each County and City to prepare a General Plan, the State has indicated its belief in the necessity of an officially adopted statement of local policy for the development of each community. By specifying the content of the General Plan, the State has established broad policies concerning the basic responsibilities of local governments for planning and development. The major land uses, development standards, densities and locations throughout the County of San Benito is the focus of this Element.

INTRODUCTION

In 1985, the County of San Benito adopted its General Plan. Because a General Plan is a long range, comprehensive, general policy document, it must be periodically updated to meet changing conditions and, from time to time, be revised or amplified to respond to changing needs and desires. The passage of time and the enactment of new State planning laws have necessitated an update of the 1985 General Plan.

THE GENERAL PLAN

The comprehensive General Plan, as adopted, establishes County policies for the growth and development of the County of San Benito. The Plan identifies physical development of the policies necessary to protect and enhance those features and services which contribute to the quality of life enjoyed by County citizens.

The San Benito County General Plan is a comprehensive policy plan which sets forth a series of written statements (goals and objectives) defining the direction, character and composition of future land use development, and establishes guidelines (policies and actions) necessary to attain conformance with the plan. The time-horizon of this Plan Update is 10 years. It is intended, however, that this General Plan be reviewed annually and updated every three years to insure that the most recent technical data, community goals and State law requirements are recognized.

The General Plan document is primarily based upon material gathered through research in the County, through public participation and through the combined efforts of numerous public agencies. The San Benito County General Plan is an expression of goals, objectives, policies and actions and is made up of eight elements and the General Plan Maps, which accompany the elements. The General Plan Maps visually represent the physical relationship of all portions of the text, including development densities. The General Plan Maps are a vital feature of the General Plan document. Technical reports supporting many of the Elements have also been published and are available at the Planning Department.

DEFINITIONS

In order to clearly understand certain key concepts in the General Plan document, the following definitions are offered:

GOAL: A goal is an ultimate end toward which effort is directed. A goal expresses community values and is abstract in nature. A goal is not time-dependent or tied to specific actions.

OBJECTIVE: An objective is a specific target statement and should be achieved within a designated time frame. An objective may relate to only one aspect of a stated goal.

POLICY: Policies, when adopted, are official statements which call for action based on a General Plan's goals and objectives. Policies are to be implemented and they clearly indicate the County's intent. Policies are used on a regular basis by decision-makers.

ACTION PLAN: An Action Plan is a series of very specific actions which should be taken by the County or by specific County Agencies, such as the Planning Department or Public Works Department. These actions, when taken, would implement previous policy statements.

STANDARD: Standards are very specific measurement statements which clearly identify desirable land use relationships, development detail and design specifics. Standards are intended to serve as a practical "how to" guide for decision makers.

GENERAL PLAN: The General Plan is an expression in words and maps of County policy regarding future development. It is based on the needs and desires of its citizens. The General Plan sets forth development guidelines needed to achieve social, economic and environmental goals and objectives. The General Plan is the official document governing the Board of Supervisors and Planning Commission, and administrative decisions regarding zoning, subdivisions and public improvements.

THE LEGAL REQUIREMENT

In California, the General Plan has established standing and specific requirements. State law shapes the local exercise of power by requiring Cities and Counties to prepare and adopt a General Plan and specifies the content of the General Plan, as well as procedures and deadlines for adoption. Government Code Section 65302 states:

"The General Plan shall consist of statements of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

- | | | |
|--------------------|------------------|------------|
| (a) Land Use | (d) Conservation | (g) Noise" |
| (b) Transportation | (e) Open Space | |
| (c) Housing | (f) Safety | |

Many Cities and Counties add optional Elements to this basic set of state-mandated Elements (as they may under Government Code Section 65303). Because optional Elements have the same force and effect as required ones, their adoption can expand a local government's authority. For example, the Quimby Act provision of the Subdivision Map Act authorizes a City or County with an adopted Recreation Element to require park dedications as a condition of subdivision approvals (Government Code Section 66477). San Benito County has two optional Elements in the General Plan, Scenic Highways and Seismic Safety.

In Government Code Section 65350, the State allows a County or City to combine Elements. This process is, in fact, recommended by the Office of Planning and Research (OPR). Possible combinations include Open Space and Conservation, and Land Use and Circulation.

In 1975, the Legislature reaffirmed the nature of the General Plan by adding Government Code Section 65300.5 which states.... "This internal consistency requirement has several implications. First, it implies that all Elements of the General Plan have equal importance. Next, the General Plan text and diagrams must be consistent, as must the data. Finally, when a new Element is adopted or part of the General Plan is amended, the rest of the Plan must be changed to eliminate any inconsistencies created by the new Element or amendment."

Not only must the General Plan be internally consistent, but the County's zoning and subdivision ordinances must be consistent with the General Plan (Government Code Sections 65860 and 66410, et seq.). This consistency requirement applies to zoning at two levels: (1) the total zoning scheme, and (2) the adoption of new zoning ordinance provisions and amendments to the zoning map or text. Once this consistency is attained, it must be maintained. Likewise, Government Code Sections 66473.5 and 66474.60 require a determination that a proposed subdivision (including parcel maps) is consistent with the General Plan and any applicable specific plan.

The General Plan is a dynamic document because it is based on community values and existing and projected conditions and needs, all of which continually change. Local governments should plan for a change by establishing procedures for regularly monitoring, reviewing, and amending the General Plan. Government Code Section 65400 requires the planning agency "to render an annual report to the legislative body on the status of the plan and progress in its implementation." Local governments may, however, amend each General Plan Element no more than four times a year (Government Code Section 65358(b)).

PURPOSE AND USES OF THE GENERAL PLAN

The adopted San Benito County General Plan will be used for many different purposes by numerous groups, organizations and people. Because it presents direction, it is useful to both the public and private segments of the community. People who will find use for the General Plan include the general public, elected officials, government employees, businesses, volunteer agencies, other governmental agencies, and developers.

The use of the General Plan is particularly appropriate when considering development. By designating the intensity of land use permitted, it helps the property owner and decision maker to evaluate potential development from the same starting point. It will also assist the decision maker in establishing the level of services that will be necessary. By anticipating the type of development, the street system can be properly planned to best serve housing, shopping and other uses. Effective general planning makes the County a better place to live and work by separating incompatible uses such as industry and housing, by protecting citizens from flood, earthquake and other hazards, and by preserving those areas which are key to the agricultural identity of San Benito County.

LAND USE ELEMENT

LEGISLATIVE INTENT

California Government Code Section 65302(a) states in part:

"A Land Use Element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The Land Use Element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The Land Use Element shall identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to those areas."

Standards for population density are provided in the eight land use categories of this Land Use Plan. Table 1 summarizes the "holding capacity" for the General Plan - or the sum of existing development and future development that occur with existing land use standards and regulations. Note: Flood prone lands are also considered in the Open Space and Conservation Elements.

TABLE 1

UNINCORPORATED SAN BENITO COUNTY LAND USE BREAKDOWN

<u>DESIGNATION</u>	<u>ACRES</u>	<u>TYPE OF HOUSING ALLOWABLE</u>	<u>DWELLING UNITS(1)</u>	<u>POPULATION(2)</u>	<u>MAXIMUM POPULATION PER ACRE</u>
Agricultural Productive	56438	SF 1 unit/5 acres	11288	35906	0.64
Agricultural Rangeland	660035	SF 1 unit/40 acres	16500	52470	0.80
Rural	10965	SF 1 unit/5 acres	2193	6976	0.64
Rural Transitional	650	SF 1 unit/2.5 acres	260	827	1.27
Rural Residential	824	SF 1 unit/0.5 acres	1648	5242	6.36
Rural/Urban(3)	852	SF up to 8 units/acre or Mobile Home Parks	6816	21682	25.45
Urban	4032	Not Applicable (N/A)	N/A	N/A	N/A
Commercial	54	None	0	0	0.00
Industrial	1094	None	0	0	0.00
Park	17791	None	0	0	0.00
Flood(4)	19512	SF (Restricted)	2195	6982	0.34
Public/Quasi-public	116777	None	0	0	0.00
TOTAL	889024		40900	130085	

NOTES

- (1) Some land in the County has environmental constraints which make it unsuitable for building. These lands includes slopes in excess of 30% (313,645 acres), earthquake fault zones (36,000 acres) as well as flood plains listed below. These constraints would lower the number of potential maximum dwelling units cited below.
- (2) Population per household based on 1990 Census
- (3) This figure would include approximately 30% multi-family attached units.
- (4) Limited development would be allowed in the floodplain. Maximum dwelling unit and population are estimates.

OVERVIEW

Approximately 99% of San Benito County is unincorporated land, with approximately 95% of that land being used as agricultural land as farmland, rangeland, forest, and including Pinnacles National Monument, the Bureau of Land Management Clear Creek Recreation Area, watershed, and wildlife habitat. With the passage of time, there will be changes in present land uses as well as intensification of development in already developed parts of the County. Economic, population and other internal and external factors will affect the rate of change within the County.

One of the principal purposes of the Land Use Element is to determine how and where growth and change will occur. A series of policies and land use classifications are established to determine the rate and location of growth and any conversion from an agricultural use to a rural or urban use.

This Land Use Element identifies eight major categories of land use: urban, residential, agricultural, commercial, industrial, parks, flood, and public/quasi-public. The guiding concept of this Land Use Element is to maintain these eight categories of land use. The majority of urban level development shall occur within San Juan Bautista and Hollister. These cities should annex additional land to provide for growing urban needs. Limited medium to high density residential development shall be allowed within the unincorporated areas of the County. Low density residential development shall occur within the existing unincorporated communities or within newly developed communities. Agricultural areas shall be used for agricultural purposes. Commercial services should be allowed to meet the needs of unincorporated communities and highway commercial demands. Industry will be maintained in existing areas and expanded where appropriate.

BASIS FOR PLANNING

There are six major determinants that must be considered in planning for land use:

1. Social factors and trends: The need for and use of land development is based upon an area's population characteristics, distribution and growth. How this land development is planned for and designed is based upon the values of the community, the need for services and the processes of social change. The quantity and quality of land development must relate to these social factors and trends.
2. Economic factors and trends: People obtain their livelihood from the land or activities developed on the land. A community's economic activities and characteristics, its land values and its taxation all must be considered in land use planning.
3. Natural factors and trends: The inherent features and capabilities of the land are important bases for planning. These natural factors include topography, geology, soils,

climate and air quality, hydrology, vegetation, wildlife and hazardous areas. Development should be directed into areas where the land can accommodate it. Development should avoid hazardous areas. Productive and sensitive lands should be preserved for their resource value and productive use. Other natural factors such as energy consumption have also become increasingly important. (An example of this issue would be the scattering of homes throughout the entire County, causing the average daily trip to be increased over what the same trip would be if a concentration of housing in appropriate areas were maintained.)

4. Existing land use: The existing pattern of land use is an important factor for the County to evaluate. Future uses should be compatible with the existing uses. Where they are not, the existing uses should be considered for ultimate conversion to compatible land uses.

5. Availability of utilities and public services: Utilities such as water, sewer, waste disposal, gas, electricity as well as services, such as schools, roads, police and fire protection are necessary for development. These must either be available or potentially available before development can be planned. Many areas of the County are not served by utilities nor can one expect them to be served. Therefore, development should not be planned in these areas at this time.

6. Cooperative land use considerations: Consideration must be given to coordination of land use plans with the Cities of San Juan Bautista and Hollister.

LAND USE PLAN

The Land Use Element Map identifies eight major categories of land use: urban, residential, agricultural, commercial, industrial, park, flood and public/quasi-public.

AGRICULTURAL

This category applies to the majority of the land area within San Benito County. This land is presently used for agricultural, hillsides over 30%, rangeland and open space purposes. The uses allowed within this category include agriculture, grazing, land in its natural state, wildlife refuges, very low intensity residential, and uses that, by their nature, must be located in undeveloped areas. Conditional uses include mineral extraction, low density recreational facilities and institutional land uses. This category is divided into two density zones:

1. AGRICULTURAL PRODUCTIVE (5 acre minimum lot size)

This designation is applied especially to those lands which are identified as being prime agricultural lands but also includes agriculturally productive lands of any type, including grazing lands. The minimum lot size in this area shall be five acres.

2. AGRICULTURAL RANGELAND (40-acre minimum lot size)

This designation is assigned to the remote hillside areas, watershed and rangeland, such as Williamson Act land, many of which have been classified as some form of open space within the Open Space and Conservation Elements. These areas are typified by a lack of transportation access, high to very high fire hazard and by the lack of utility services to allow for more dense types of development. Many of these areas are found within the critical fire hazard area or in the "out back" areas of the many isolated canyons throughout the County.

RESIDENTIAL

This category applies to areas where the residential densities up to eight dwelling units per acre may occur and where the use of the land is primarily for residential purposes. Densities up to ten units per acre may be allowed provided performance standards for affordable housing are satisfied. These areas lie outside of City lands.

The County will promote the well being and adequate functioning of these areas and will protect the resources upon which they depend. Only the most significant areas are designated, and no area has been designated which is not already established with residential uses. In the future, the County may find that additional residential areas may be needed and the County will evaluate the suitability of proposing additional areas.

The uses allowed within this category include residential, agricultural, and open space. Conditionally permitted uses include churches and schools. This category is divided into four density zones.

1. RURAL (Five acre minimum lot size)

This designation shall apply to areas which are not primarily suited for agricultural uses, but due to the lack of services or geographical reasons are unsuited for the Rural/Urban or Rural Transitional designations. Within areas where the average cross slope equals or exceeds 30%, the number of allowable units will be determined by use of the County's slope density formula. For land located within environmentally hazardous areas, some density credit may be given. However, this density shall be transferred to a non-environmentally hazardous portion of the property. Alternatively, for land with a combination of environmental hazards (slope, flood, high fire hazard, fault) and/or which is environmentally sensitive, (habitat, wetlands) the base density will not be allowed.

2. RURAL TRANSITIONAL (2.5 acre minimum lot size)

This designation represents the traditional rural development which is seen as a transition to a more urban use. The major distinction in understanding this classification is that development should be associated with rural standards. These transitional areas are also intended to fulfill the need for buffering denser residential development from exclusively agricultural areas, so as to minimize the potential premature conversion of agricultural lands to urban uses.

The transitional rural areas are located in close proximity to major transportation carriers. They are also located in close proximity to already existing non-agricultural land uses.

3. RURAL RESIDENTIAL (1/2 acre minimum lot size)

This category applies to the Spheres-of-Influence of San Juan Bautista and Hollister. Any development occurring within these areas will be at a maximum density of two dwelling units per acre if developed while the land is unincorporated. Concurrent with the application for development, the applicant shall be responsible for preparing an overlay plan showing ultimate development of the property to City standards. Both plans shall be reviewed jointly by the affected City and the County. Appropriate non-residential uses are allowable within areas designated as Spheres-of-Influence. Final approval for unincorporated lands shall rest with the County.

4. RURAL/URBAN (Up to Eight Dwelling Units/Acre)

This designation applies to those areas which are already developed to a rural/urban density, as well as having utility services to allow this density to continue or increase (such as, but not limited to, Ridgemark and Tres Pinos). The intent of this designation is to allow for unincorporated pockets of urban concentration to occur where circulation and utility services presently exist or can be provided. This will provide individuals with the opportunity to live in unincorporated areas and yet have their residence within a village atmosphere.

It is within this land use category that the concept of clustering and density transfer can most effectively be utilized. These concepts may be utilized not only to locate units

within the best buildable area, but also at a density (and associated reduced development cost) to provide for a variety of housing types meeting the various needs of future residents within San Benito County.

The intensity of development will be directly proportional to the level and availability of services. A maximum of eight dwelling units per acre can be achieved in those areas so designated.

AREA OF SPECIAL STUDY

This designation applies to areas of the County where a combination of the following criteria apply: 1) More concentrated development than is presently allowed may be desirable provided a comprehensive plan for public services and resource conservation is integrated in order of priority into a specific plan, community plan, or area plan. 2) As a result of prior, piecemeal subdivisions, a plan for integrated development and coordination of governmental services and/or community facilities is desirable. 3) The County has identified the area as a potential area for commercial, industrial, and/or residential development.

The intent would be to direct development from natural resources and environmentally hazardous areas, to provide for mixed land uses to reduce vehicle emissions, to effectively plan the design, development and financing of services, and to develop open space programs. Increased development density over base density may be awarded based on specified programs. New development will not be allowed within an Area of Special Study until there is full mitigation of public services, infrastructure and facility impacts.

URBAN

This category refers to the incorporated lands of the Cities of San Juan Bautista and Hollister.

COMMERCIAL

The commercial land use category contains three subcategories: neighborhood commercial, regional commercial, and thoroughfare commercial. The commercial lands in the unincorporated areas of the County will be designed to serve existing markets and reduce unnecessary trips to the major retail centers in the incorporated areas of the County. In some limited cases, isolated commercial uses will continue to be permitted as overlay zoning without a general plan amendment.

1. NEIGHBORHOOD COMMERCIAL:

This designation applies to existing and future commercial uses that will provide convenience items within walking distance or close proximity to existing communities or concentrations of population. The intent of the category is to reduce unnecessary vehicular trips to commercial centers in the cities of Hollister and San Juan Bautista and outlying cities in other counties.

2. REGIONAL COMMERCIAL:

This land use designation is intended to provide the opportunity for regional commercial services that would not be suitable or desirable for the two incorporated cities in the County.

3. THOROUGHFARE COMMERCIAL:

This land use designation is intended to provide commercial services for motorists in proximity to interchanges for state highways, along thoroughfares, and near federal, state, and regional parks, and other tourist recreation attractions.

INDUSTRIAL

The predominant industrial land uses in the unincorporated areas of the County are agricultural-industry, mining, and the manufacture of explosives. There are two subcategories of industry, light industry and heavy industry. In some limited cases, isolated industrial uses will continue to be permitted as overlay zoning without a general plan amendment.

1. LIGHT INDUSTRIAL:

The intent of this land use subcategory is to allow light industrial development (near existing transportation systems highways, rail, air) that will not create major pollution. Allowable land uses in this subcategory include: warehousing, contractor's yards, nurseries, lumber yards, auto repair, and outdoor sales, light manufacturing and/or assembly, and research and development operations that do not cause environmental hazards.

2. HEAVY INDUSTRIAL:

The intent of this land use subcategory is to recognize heavy industrial activities, such as the manufacture of explosives and productive utilization of the County's natural resources.

PARKS

This category applies to the land within San Benito County that is presently used as a Federal, State, or County park. The uses allowed within the Federal and State parks are dictated by those agencies. Permissible uses within the park category are public recreation facilities such as golf courses, community park, neighborhood park, local park, community center, campgrounds, recreation corridors and trails.

FLOOD

This category applies to land located within the 1% flood hazard zones (100-year flood plain) on the Federal Emergency Management Agency maps adopted by the County. Uses allowed on existing lots of record within the category include agriculture, grazing, mineral extraction, wildlife refuges, land in its natural state, and selected low-intensity recreation and other such uses permitted by the San Benito County Flood Zone Ordinance. Future commercial and industrial uses shall be carefully evaluated on a case by case basis pursuant to flood mitigation criteria.

PUBLIC/QUASI-PUBLIC

This land use designation applies to public and quasi-public facilities and land uses including the following: schools, landfills, government lands, sewage treatment plants, County facilities, fire stations, police stations/substations, jails, religious meeting areas, libraries, energy distribution, water distribution, and public meeting halls.

LAND USE GOALS AND OBJECTIVES

GOAL 1

To maintain the County's rural atmosphere.

OBJECTIVES

- a) To protect prime agricultural areas in order to preserve them for the present and future agricultural production vital to the County.
- b) To direct future County growth to areas which are neither environmentally sensitive nor of substantial agricultural importance.
- c) To protect hillsides and grazing lands with grades over 30%.
- d) To utilize agricultural and open space lands to help define urban and rural residential areas.

GOAL 2

A balance of housing types, locations and a relatively wide range of prices within the County which will accommodate a variety of families from all socio-economic backgrounds.

OBJECTIVES

- a) To encourage innovative approaches to subdivision planning providing for a variety of housing types and densities.
- b) To encourage an overall rural approach to development, such as large lots or the clustering of home sites to preserve the maximum open space possible.
- c) To identify areas within existing communities and/or where public services are available that could provide low-income housing.
- d) To amend existing subdivision and Planned Unit Development Ordinances to provide requirements for low-income housing where services can be provided.

GOAL 3

To allot sufficient area within each type of land use to provide for future needs.

OBJECTIVES

- a) To establish areas where growth is acceptable and desirable as well as setting those areas aside which are not desirable for development within the planning period.
- b) To add new land use designations to the land use plan to identify areas for future commercial, industrial, and public/quasi-public land uses.

c) To consider the effect on the natural environment in all land use decisions. Development should particularly be controlled in areas that are sensitive or environmentally hazardous.

GOAL 4

To provide for commercial developments which are compatible with other land uses and will conveniently and effectively serve the needs of people.

OBJECTIVES

a) To allow commercial services that will reduce vehicle trips and vehicle miles traveled, to meet the needs of rural citizens, unincorporated communities, as well as the weekend or recreational user.

b) To identify areas along existing and future highway re-alignments for commercial thoroughfare and/or regional commercial services.

c) To identify and plan for commercial services near existing federal, state, and regional parks.

GOAL 5

To provide for a diversified economic base for the County.

OBJECTIVES

a) To direct the development of industrial uses to areas which are compatible with surrounding land uses and which will be sensitive to the environment except when the industry is site dependent or site related.

b) To protect agriculture as a major industry in the County.

c) To direct the majority of industrial growth to occur in areas where services are available, near existing transportation systems (e.g. railroads, state route connections) or agricultural operations.

d) To consider socio-economic impacts as a prime factor in determining the type of industry to be developed, with emphasis on providing a variety of jobs to meet the needs of the existing residents.

e) To investigate the expansion of recreational industry to meet the needs of local and regional visitors to the County.

GOAL 6

To establish a working relationship with the Cities of San Juan Bautista and Hollister in order to encourage the cooperative planning efforts for all jurisdictions involved.

OBJECTIVE

a) To provide land use patterns within the County jurisdiction which are compatible with adjacent City designations.

GOAL 7

To maintain the character and the natural amenities of San Benito County while providing for its growth.

OBJECTIVE:

- a) Preserve the County's historic identity and integrity.
- b) Provide land use designations to ensure long-term preservation of the County's natural resources including soil, water, ridgeline vistas, and air quality.

GOAL 8

Develop a growth management program that will stabilize the rate of population growth, provide opportunities for housing for a full spectrum of the population in San Benito County, and provide for public health, safety, and general welfare.

GOAL 9

Develop a growth management program that will stabilize the rate of population growth in San Benito County while avoiding adverse environmental consequences to natural resources and enhancing existing quality of life.

OBJECTIVES FOR GOALS 8 AND 9

- a) Develop a growth management program.
- b) Establish policy and programs to allow population growth while providing an adequate level of protection for public health, safety, general welfare, and an adequate level of school and governmental services.
- c) Incorporate into the growth management program the provision of housing for a full spectrum of the population in the County.
- d) Develop programs to protect and preserve natural resources while maintaining population growth.
- e) Promote cost-effective land use planning by directing development to areas where school, fire, sheriff, and other services can be provided.
- f) Utilize area plans, master plans, specific plans, community plans and other planning studies to allow population growth in geographic areas that will maintain an adequate level of public services (fire, schools, sheriff), and protect natural resources.
- g) Create programs to provide a better balance between housing growth and revenue for infrastructure/public services and employment growth in the County.

LAND USE POLICIES AND ACTIONS

AGRICULTURE

POLICY 1

The agriculturally designated areas of the County shall be developed at a low density use (5 acre minimum lot size).

POLICY 2

The type of uses allowed within the agriculturally designated areas shall be related to the suitability of the soil resources, climate and water supply. The types of uses allowed on most agriculturally designated areas within the County include agriculture, agricultural processing, grazing, land in its natural state, wildlife refuges, and low intensity residential. Uses subject to use permit approval include low intensity recreational facilities, mineral extraction and processing, and also institutional uses and uses, that, by their nature, should be located in undeveloped areas.

POLICY 3

Grade 1 soils as defined in the Soils Survey of San Benito County shall be the highest priority for protection of soil resources.

ACTION

- a) Development proposals in the following locations will be exempt from Policy 3.
 - i. Grade 1 soils located within the Sphere-of-Influence of a public sewer and water district.
 - ii. A parcel surrounded by property developed at the maximum density allowed in the applicable zoning category on at least three sides.
 - iii. Grade 1 soils in the Soils Survey of San Benito County that have been determined to be Grade 2 or less from an on-site soils test performed by a soils engineer.
 - iv. Grade 1 soils in the Soils Survey of San Benito County that do not have a historical agricultural use.

POLICY 4

Development proposals adjacent to Grade 1 agricultural lands and soils suitable for the production of row crops, flowers, or orchards shall be required to mitigate potential land use conflicts with agricultural operations.

ACTION

- a) Development proposals shall provide a non-development buffer beginning at the property line of the proposed development.
- b) Development proposals shall not be allowed to increase the volume or velocity of storm water runoff to adjoining agricultural lands.
- c) Landscaping plans for the non-development buffer areas shall be reviewed to ensure that vegetation will not create intrusive shade, a habitat for pests, or other nuisance to the agricultural operator.

POLICY 5

Encourage the private development of participatory recreational facilities, such as riding areas, camping facilities and hunting clubs.

ACTION

- a) Allow riding areas, camping facilities and hunting clubs as conditional uses on Agricultural Rangelands.
- b) Allow riding areas and hunting clubs as conditional uses on Agricultural Productive lands.

POLICY 6

Use available legislative means to preserve agricultural areas.

ACTION

- a) Assist landowners to apply for Williamson Act contracts, when requested.
- b) Investigate the use of any other legislative methods to preserve agriculture.
- c) Continue to utilize Ordinance 557 (Agricultural Community Disclosure).
- d) Encourage agricultural conservation easements and encourage clustered development on the lesser productive soils of the development parcel in the agricultural productive land.

POLICY 7

It is the policy of the County to consider transfer of development credits (TDC) programs, land trusts, and purchase of development credits (PDC) programs to provide financial incentives to protect and preserve agricultural soil resources and to protect the integrity of important agricultural areas for future use.

ACTION

- a) Explore identifying areas for potential TDC and/or PDC programs.
- b) Investigate establishing a density bonus to developers that transfers development credits from prime agricultural lands to existing communities and residential areas.
- c) Encourage General Plan amendments that will increase population densities to include receiving areas.
- d) Consider the exclusion of hazardous areas (100-year flood, fault zones) from a TDC or PDC programs.
- e) Research the establishment of a local non-profit land trust for the preservation of agricultural lands for the production of food and fiber.
- f) Explore the possibility of allowing property tax benefits pursuant to Internal Revenue Service regulations and subsequent amendments for property in a land trust.

RESIDENTIAL

POLICY 8

The residential areas of the County shall be developed at densities up to 8 dwelling units per acre. A density of 10 dwelling units per acre to allow for affordability may be allowed provided that specified performance standards are met.

ACTION

a) Establish performance standards to provide a density bonus in the Rural/Urban and Area of Special Study designations of 10 dwelling units per acre for developments that provide for affordable housing.

POLICY 9

The type of development allowed within the residential areas include residential, agricultural, and open space. Trails, parks, and public facilities, including schools and churches, may be allowed subject to use permits.

ACTION

a) Incorporate the above list of allowable and conditional uses within the zoning ordinance.

b) Designate the area immediately east of Fairview Road bound by State Route 25 to the south and McMahon Road to the north as an Area of Special Study.

c) Designate the area west of Fairview Road and north of Airline Highway and south of Sunnyslope Road as an Area of Special Study.

d) The County shall utilize overlay zoning which establishes development standards in areas of special concern, such as Alquist-Priolo special studies zones, flood plains and hazardous fire areas.

POLICY 10

Septic systems may be allowed on parcels one acre or greater if percolation tests demonstrate to the County Health Department Division of Environmental Health that soil is suitable for septic use. Sewage disposal on parcels less than one acre shall not be by the use of septic systems, but shall be through a public utility service district.

ACTION

a) Determine the septic system suitability for parcels one acre or greater in size.

b) Require that all new development on parcels less than one acre be served by a utility service district.

c) Where a utility service district is proposed to be used for a new development, evidence shall be provided prior to project approval that said district has adequate capacity for the new development. If a district requires expansion, the design, construction, maintenance standards, and financial mechanism to support the improvements shall be resolved prior to project approval. New developments shall be encouraged to tie into existing sewer systems that are within proximity to existing sewer systems.

POLICY 11

Septic systems shall be properly designed, constructed, and maintained to avoid degradation of ground and surface water quality.

ACTION

- a) A soils analysis and letter from the County Health Department approving the design of septic systems shall be submitted prior to approval of tentative maps with parcels less than 10 acres.
- b) Require the establishment of community service districts or other financing mechanisms to oversee the maintenance of septic tanks for major subdivisions and/or areas of residential development.
- c) Require septic systems to meet County design and construction standards.

POLICY 12

The County shall utilize specific zoning tools, such as Planned Unit Developments to allow for clustering and density transfer as a means to provide innovative and diversified development, and to avoid hazardous areas while maintaining the rural character of the County provided that the development design and density is consistent with Policy 9 and actions.

ACTION

- a) Continue to utilize the Planned Unit Development ordinance.

POLICY 13

The County shall direct residential population growth away from areas zoned or planned for industrial use by the County or the City of Hollister or City of San Juan Bautista.

POLICY 14

New development in the vicinity of airports shall be consistent with the types of land use and densities prescribed in adopted airport master plans.

URBAN

POLICY 15

Encourage San Juan Bautista and Hollister to annex additional lands suitable for urban uses as the demand for urban land increases.

ACTION

- a) Meet and cooperate with San Juan Bautista and Hollister to promote this concept.

POLICY 16

Encourage San Juan Bautista and Hollister to establish five-year Urban Service Area boundaries to identify their five-year annexation needs.

ACTION

- a) Meet and cooperate with San Juan Bautista and Hollister to promote this concept.

POLICY 17

The County shall cooperate with cities to protect land within adopted spheres-of-influence for future urban density.

ACTION

a) Development requests within the sphere-of-influence of a City shall be denied if sewer and water services will not be available through agreement from other governmental agencies.

POLICY 18

The County shall work cooperatively with the Cities of San Juan Bautista and Hollister in the planning and development of land uses.

ACTION

a) San Juan Bautista and Hollister shall receive a copy of the proposed General Plan so they may have the opportunity to review and comment on the County's proposals.

b) Periodic meetings shall be held with these cities (at both the public official and staff level) to ensure maximum cooperation and compatibility.

POLICY 19

Allow the development of Neighborhood Plans where public interest is demonstrated to maintain and establish community identity, to coordinate traffic and circulation, to promote infill development where public services are already in demand, to identify recreational needs and ensure coordinated development.

ACTION

- a) Identify neighborhoods with interest in developing plans.
- b) Utilize citizen groups for issue identification and assimilation of information.
- c) Define a boundary for the planning area and determine whether an Area of Special Study land use designation is needed.
- d) Assess public service and recreational needs of the neighborhood.
- f) Promote funding for improvements to the community through assessment districts, dedication of land, and other methods.

COMMERCIAL

POLICY 20

Designate areas on the General Plan Land Use Map for existing Neighborhood Commercial Centers in the communities of Aromas, Dunneville, and Tres Pinos, and designate existing commercial facilities in Paicines and Panoche for Thoroughfare Commercial on the General Plan Land Use Map.

POLICY 21

To allow commercial areas in the unincorporated areas to develop, a general plan amendment shall be required for the establishment of new commercial areas. In some limited situations, new small scale isolated commercial operations will be allowed as overlay zoning in other land use categories.

POLICY 22

Recognize Neighborhood Commercial, Regional Commercial and Thoroughfare Commercial land uses as an opportunity to provide employment and revenues to the County.

ACTION

a) Coordinate with local organizations such as the Chamber of Commerce and Economic Development Organization to identify locations for Regional Commercial and Commercial Thoroughfare land uses.

POLICY 23

Small scale neighborhood stores in unincorporated areas shall be allowed if a marketing study provides evidence that a local need and market exists, evidence is provided that vehicle trips and vehicle miles traveled will be reduced, and there is not an opportunity for infill commercial development nearby.

POLICY 24

New neighborhood commercial areas shall be permitted if located within reasonable distance of a community, is centrally located to serve a rural community that is lacking neighborhood commercial services or where the need for expanded neighborhood commercial services can be demonstrated.

ACTION

a) A market study shall be included in the application to demonstrate whether or not there is a need for the General Plan Amendment.

b) Allow the development of limited office/professional office space.

c) There is not an opportunity for infill commercial development nearby.

POLICY 25

It is the policy of the County to direct neighborhood commercial services to consolidated, centrally located areas and to discourage spot commercial uses.

POLICY 26

Standards for siting, location, and approval of general plan amendments for Regional Commercial services shall be developed.

ACTIONS

a) Regional centers shall be located near existing or future highway interchanges or major intersections.

b) A traffic study will be required for all proposals to identify any necessary project or cumulative improvements to maintain adequate capacity and safety on the road network.

c) High standards for design and landscaping of the structures shall be required.

d) It is demonstrated that sewer and water services will be available.

POLICY 27

Approval of general plan amendments for Thoroughfare Commercial services shall be based on evidence that the property will serve nearby tourists attractions (e.g. parks) or heavily traveled roadways, that adequate public services may be provided, the land use is compatible with nearby properties, and that the scenic character of the area will be maintained.

ACTIONS

a) A traffic study will be required for proposals near highway interchanges or major intersections to identify any necessary project or cumulative improvements to maintain adequate capacity and safety on the road network.

POLICY 28

Expansion or creation of any new commercial land uses shall mitigate incompatibility with adjoining land uses.

INDUSTRIAL

POLICY 29

Direct industrial development to unincorporated lands within close proximity to transportation systems, natural resources and existing industrial operations or to isolated areas that are appropriate for certain types of industry.

POLICY 30

A general plan amendment shall be required for the establishment of new heavy industrial areas or quarries outside the areas identified for Mineral Resources in the Open Space/Conservation Element. An environmental impact analysis shall be required for consideration of the general plan amendment to minimize near- and long-term effects on the environment. In some limited situations, new small scale isolated industrial operations will be allowed as overlay zoning in other land use categories.

ACTION

a) Encourage industrial land uses in areas that would not pose significant land use conflicts.

OVERALL COUNTY

POLICY 31

Specific development sites shall be free from the hazards identified within the Open Space and Conservation Element Maps (e.g. faults, landslides, hillsides over 30% slope, flood plains). The site shall also be on soil suitable for building and maintaining well and septic systems (i.e. avoid impervious soils, high percolation or high groundwater areas, set back from creeks). Absent adequate mitigation, development shall not be located on environmentally sensitive lands (wetlands, erodable soil, archeological resources, important plant and animal communities).

ACTION

a) All hazardous and environmentally sensitive lands as identified in the Open Space and Conservation Elements shall be zoned as restricted development area in the applicable combining district (Seismic Safety Area, Flood Plain Area, Open Space Area). Severe erosion hazard and fire hazard shall also be added to Section 17.1 of the zoning ordinance.

b) The County should develop a hillside ordinance which will prohibit the development of hillsides where slopes are 30% or greater.

c) Proposed site plans, tentative or parcel maps shall depict all environmentally sensitive and hazardous areas (e.g. 100-year flood plain, fault zones, 30% slopes, severe erosion hazard, fire hazard, wetlands, riparian habitat, etc.).

d) The base density of a proposed development site should be reduced if a combination of environmental hazards (fire, access, fault, flood, 30% slope) and/or natural resources (habitat, wetlands) are on a particular development site.

e) Incorporate the above concepts into the County's development regulations.

POLICY 32

Specific development sites shall avoid, when possible, locating in an environmentally sensitive area (wetlands, erodable soils, important plant and animal communities, archaeological resources).

ACTION

a) The County shall utilize the overlay zoning which establishes development standards in areas of special concern, such as Alquist-Priolo special studies zones, flood plains and hazardous fire areas.

POLICY 33

The County shall amend its Ordinance and Regulations (e.g. Zoning, Subdivision, Capital Improvements) to conform to the plan and policies of the Land Use Element within one year from the date of adoption. The County shall periodically update the General Plan as is necessary.

ACTION

a. Follow the actions specified in the policy.

POLICY 34

The County shall encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction.

ACTION

a) Assist the public in the incorporation of energy and water conservation in new construction.

POLICY 35

The County should maintain high standards of siting and design in the development of all land uses. Standards and criteria shall be established by the County.

ACTION

a) Incorporate the concepts of site and design planning into the County's development regulations. This review would be implemented at the subdivision or zoning (PUD) stages of the development process.

b) Support efforts of local organizations to designate areas as historic districts (e.g. Tres Pinos, Dunneville).

c) New development in areas of historical interest shall be reviewed for compatibility with existing structures. Demolition of existing structures should be weighed against the potential loss of historic resources.

POLICY 36

The individual and cumulative effects of development proposals that generate population growth shall be evaluated and all available means shall be used to assist full mitigation of school facility impacts.

ACTIONS

a) Rezonings and general plan amendments shall be required to assist full mitigation of school facility impacts.

b) Give priority to minor and/or major subdivisions that will most fully mitigate school facility impacts created by the development proposal, as authorized by law.

c) Allow the use of Mello-Roos Community Facilities Assessment Districts.

POLICY 37

The County shall develop a growth management program that will encourage housing for families meeting the State definition of very low-income, low-income, moderate income, and above moderate income. Furthermore, the program shall include incentives to encourage housing for first-time home buyers and senior citizens (with income of moderate or less).

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POLICY 38

The County shall develop a growth management program that will include periodic review to improve the program over time. Included in the review will be an assessment of the gap between median home purchase price compared to the median income in the County.

POLICY 39

The County shall explore options for a growth management program that will provide an adequate level of protection for public health, safety, general welfare and governmental services which may include but not be limited to an allocation program, rolling year average population cap, performance standards, geographic growth areas, short- and long-term financing techniques.



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